

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 97-464-W/S – ORDER NO. 98-179
MARCH 6, 1998

IN RE: Mark W. Erwin, Riverhills,)	ORDER
and other Lake Wylie Consumers,)	DENYING PETITION
)	TO INTERVENE
Complainants,)	
)	
vs.)	
)	
Carolina Water Service, Inc.,)	
)	
Respondent.)	
)	

This matter comes before the Public Service Commission of South Carolina (“the Commission”) by way of a Petition to Intervene filed by the Consumer Advocate for the State of South Carolina (“the Consumer Advocate”). For the reasons set forth below, the Commission determines that the Petition to Intervene filed by the Consumer Advocate should be denied.

On February 24, 1998, the Commission received the Petition to Intervene from the Consumer Advocate in the above-referenced Docket. The Petition requests that the Consumer Advocate be allowed to Intervene pursuant to the statutory authority which provides that the Consumer Advocate has the discretionary duty to provide legal representation of the consumer interest before state and federal regulatory agencies when such agencies undertake to fix rates or prices for consumer products or services. See

S.C. Code Ann. Section 37-6-604 (Supp. 1997) and 26 S.C. Code Ann. Regs. 103-830 et seq., (1976 and Supp. 1997). The Consumer Advocate states that the hearing in the above-referenced Docket will address complaints concerning impact fees and all other rates being charged by Carolina Water Service (CWS) in the Lake Wylie area. Petition, p.1. The Consumer Advocate also states its position for Intervention as being “that the Commission’s decision in this case, in addition to affecting the rates in the Lake Wylie area for customers of CWS, could also affect, or otherwise establish precedent which could affect the rates of other customers of CWS.” Petition, p. 2. The Consumer Advocate further alleges that “[t]hese [other] customers [of CWS] are not otherwise represented by counsel in this proceeding.” Petition, p. 2.

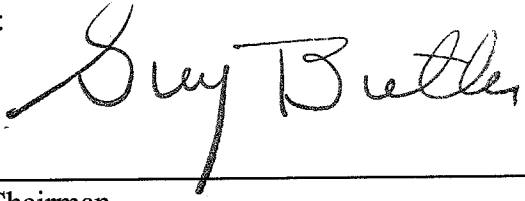
Upon consideration of the Petition of the Consumer Advocate, the Commission believes and so finds that the Petition to Intervene should be denied. The instant proceeding is in response to complaints from customers in the Lake Wylie service area. No public notice was given regarding this proceeding as the proceeding before the Commission will address only those complaints filed. The parties to the above-captioned proceeding are the complainants, who are customers of CWS in the Lake Wylie service area; CWS, the respondent; and the Commission Staff. There are no other parties to this proceeding. Further, the Commission is aware that the Consumer Advocate is not authorized to intervene in proceedings on behalf of private individuals. The parties to this proceeding who are not represented by counsel are not entitled to be represented by the Consumer Advocate. Therefore, the Commission denies the Consumer Advocate’s

Petition to intervene in this proceeding addressing the complaints filed by private individuals or private entities.

This Order shall remain in full force and effect until further Order of the Commission.

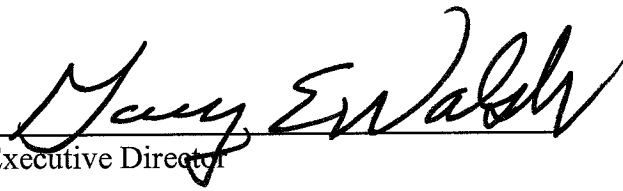
IT IS THEREFORE ORDERED.

BY ORDER OF THE COMMISSION:



Chairman

ATTEST:



Deputy Executive Director

(SEAL)